Alternative #2

RESOLUTION NO. 11-09

RESOLUTION OF THE TOWN OF ST. LEO TOWN COMMISSION APPROVING SAINT LEO UNIVERSITY INC. PRACTICE FIELD SITE PLAN/VARIANCE REVIEW (SPR/VAR #11-A) WITH CONDITIONS.

WHEREAS, a general site plan review and variance application (SPR/VAR #11-A) was submitted by Saint Leo University, Inc. (Applicant) to approve a new practice field for Saint Leo University pursuant to the LDC Article X, Development Review Procedures And Development Standards For General Site Plans and Planned Unit Developments, and Article IX. Variances, and

WHEREAS, a public hearing was advertised and held on July 11, 2011, before the Town of St. Leo Town Commission, which gave full and complete consideration to the recommendations of the staff and evidence presented at the public hearing.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN OF ST. LEO TOWN COMMISSION:

SECTION A. REQUEST

The Applicant is requesting site plan and variance approval for a new Practice Field. The Practice Field site (2+/- acres) is currently a wooded and passive open area located north of the tennis courts and east of the new Softball Stadium parking lot. The Practice Fields will provide for multiple uses such as soccer, lacrosse, softball and jogging path; and therefore, the existing open area requires expansion to the north and east and significant grading and fill.

The new Practice Field requires a twenty (20) foot wide Type "C" buffer, which requires four (4) canopy trees and five (5) understory trees/100 linear feet along its northern and eastern property boundaries. The eastern property boundary of the Practice Field project is 415+/- feet. Approximately 180+/- linear feet of this distance is an existing approved landscape buffer. Therefore, the remaining 235+/- feet requires a total of ten (10) canopy trees and twelve (12) understory trees. The property boundary along the Lake Jovita golf course to the north is 675 +/- linear feet and requires twenty-seven (27) canopy trees and thirty-four (34) understory trees. The University will meet the landscape buffer requirement along the north property boundary for 610+/- feet (25 canopy and 31 understory trees). Located within a portion of the 610+/- foot segment is an existing wrought iron fence along the property boundary; therefore, landscaping would be approved to be placed behind the fence.

The Applicant is requesting a variance to the landscape buffer requirement as follows:

- 1. Utilize the existing vegetation to provide the required twenty (20) foot wide landscape buffer at the northeast corner of the project for 65+/- feet along the north property boundary. The existing trees meet the tree planting requirement; however, a variance is required because the existing vegetation does not meet the required understory trees and shrubs.
- 2. Utilize the existing vegetation to provide the required twenty (20) foot wide landscape buffer at the northeast corner of the project for 235+/- feet along the northern portion of the east property boundary. The existing trees meet the tree planting requirement; however, a

variance is required because the existing vegetation does not meet the required understory trees and shrubs.

SECTION B. FINDINGS AND CONCLUSIONS

Based on the facts and analysis presented in the staff report with exhibits and Applicants application and supporting documents (Exhibit A), and stipulated conditions of approval agreed to by Lake Jovita representatives and the Applicant, approval of the site plan and variance are warranted.

SECTION C. TOWN COMMISSION DECISION

The Town Commission hereby APPROVES the site plan and requested buffer variance with the following conditions:

- 1. This approval is subject to approval of a Tree Removal Permit and any related conditions of approval.
- 2. This approval is subject to approval of Saint Leo University Campus Master Plan PUD #10-A (Minor Modifications #1 and #2) and any conditions of approval.
- 3. Prior to the start of regarding and/or filling, silt fences or other appropriate fencing/barrier shall be installed along the north and east boundaries and shall remain in place during construction (site grading) and until grass sodding, seeding and/or landscaping is put in place along the slopes to control stormwater run-off and erosion.
- 4. No final inspection approval will be issued by the Town until all the above conditions are met.
- 5. Upon completion of the project and in accordance with the site plan approval, the Applicant shall comply with all conditions set forth in Southwest Florida Water Management District ("SWFWMD") regulatory approvals and the Town's applicable land development code provisions. If stormwater impacts do occur on adjacent property causing a violation of SWFWMD regulatory approvals, the Applicant shall provide to the Town Commission its implementation plan to cure the problem.
- 6. Upon completion of the project, the Town Commission or its designee shall be permitted by the Applicant to inspect all planted replacement trees pursuant to the Tree Removal Permit approval and landscape buffer (including trees utilized for the tree credit) for compliance. The Applicant shall be required to replace any trees or shrubs deemed to be in either poor condition or have died within 45 days of said inspection. The date that the Town's Planning Consultant determines compliance with the tree replacement and landscape buffer requirements will be known as the approved "Compliance Date".
- 7. One (1) year after the completion of the project, the Town Commission or its designee shall be permitted by the Applicant to inspect all planted replacement trees and landscape buffer plantings (including trees utilized for the tree credit) for compliance. The Applicant shall be required to replace any trees or shrubs deemed to be in either poor condition or have died within 45 days of said inspection.

- 8. The Applicant shall submit to the Town a copy of any new or modified SWFWMD permits related to this project prior to the start of any grading/filling.
- 9. The edge of the Practice Field shall be no closer than 145 feet from the east property boundary with Lake Jovita. The top of the slope shall be no closer than 125 feet from the east property boundary with Lake Jovita.
- 10. The distance from the east property boundary with Lake Jovita and the toe of slope for the Practice Field shall be no less than 65 feet.
- 11. Within the minimum 65 foot area between the east property boundary with Lake Jovita and the toe of slope for the Practice Field (the "Buffer Area"), the following shall occur:

For the first 220 feet along the northern end of the east property boundary, the Area shall remain in its existing, undisturbed state and no new plantings per the Town's LDC shall required.

For the remainder of the east property boundary (227 feet),

- (1) The first 15 feet of the Area from the property boundary shall remain in its existing, undisturbed state.
- (2)Within the remaining 50 feet of the Buffer Area, landscaping and trees shall be installed and maintained in a manner to achieve 80% percent opacity within 4 years ("Buffer") in accordance with and as described in a buffer plan model ("Buffer Plan Model"). Native trees and shrubs, excluding palm trees, shall be used. St. Leo University shall hire a licensed landscape architect to prepare a detailed Buffer Plan Model that includes one year and four year growth projections. The Buffer Plan Model shall be the standard used to demonstrate that the proposed plantings, with their associated growth projections, will achieve 80% opacity within 4 years. The Town's Planning Consultant shall inspect the Buffer Plan 4 years after the approved Compliance Date as defined in Condition #6. Based on this inspection the Town's Planning Consultant shall make a recommendation to the Commission as to compliance with the Buffer Plan. If the proposed plantings performed as the Buffer Plan Model intended within the 4 years, then the Buffer shall be deemed compliant with this condition no. 12.b.(2). If the proposed plantings did not substantially perform in accordance with the approved Buffer Plan Model four year growth projections, then Saint Leo University shall bring the plantings into compliance with the approved model growth standards pursuant to approval by the Town Commission. The Buffer Plan Model will be reviewed by a representative of the Lake Jovita's Homeowners' Association, who shall be a licensed landscape architect. In a coordination and consultation role, the Town's Planner shall coordinate and consult solely with Lake Jovita's licensed landscape architect and Saint Leo University's licensed landscape architect to produce a mutually agreed upon Buffer Plan Model. The Buffer Plan Model shall be submitted to the Town

for presentation and acceptance by the Town Commission on or before October 31, 2011. There shall be no encroachments within the Buffer Area. There shall be no construction of the Practice Field prior to acceptance of the Buffer Plan Model by the Town Commission.

- 12. Along the northern boundary, the following shall occur:
 - a. The first 65 feet from the east property boundary shall remain in its existing, undisturbed state.
 - For the remainder of the northern boundary, a Type C buffer per the Town's b. LDC shall be required. Existing trees shall remain and may be used to meet the LDC requirements. Native trees and shrubs, excluding palm trees, shall be used to meet the requirements. Saint Leo University's licensed landscape architect shall prepare a tree and plant selection plan, which shall be reviewed by a representative of the Lake Jovita's Homeowner's Association, who shall be a licensed landscape architect. In a coordination and consultation role, the Town's Planner shall coordinate and consult solely with Lake Jovita's licensed landscape architect and Saint Leo University's licensed landscape architect to produce a mutually agreed upon tree and plant selection plan. The tree and plant selection plan shall be submitted to the Town for presentation and acceptance by the Town Commission on or before October 31, 2011. There shall be no construction of the Practice Field prior to acceptance of the tree and plant selection plan by the Town Commission.
- 13. To the maximum extent possible, native replacement trees shall be planted along the eastern and northern boundaries between the toe of slope and the practice field.
- 14. The Buffer Area shall be staked prior to commencement of construction activities and shall be protected during construction which shall include appropriate erosion control measures and LDC tree protection requirements.
- 15. The Practice Field shall not be permanently lit without approval of an amendment to the PUD by the Town Commission with notice consistent with the LDC public hearing requirements.

SECTION D. EXHIBIT A

The following exhibit is attached to this resolution and incorporated by reference:

Exhibit A: Town Staff Report with exhibits

Exhibit B: Applicant's application and supporting documents.

SECTION E. TOWN COMMISSION MOTION

The foregoing resolution was adopted by the St. Leo Town Commission vote as follows:

William E. Hamilton, Mayor Donna DeWitt, O.S.B. – Mayor Protem Richard Christmas Robert Courtney Jack Gardner

DULY PASSED AND ADOPTED this 11th day of July, 2011. This approval is valid for one (1) year from the date of approval, unless a construction permit has been issued prior to the expiration date.

ATTEST:

Joan Miller, MMC

Town Clerk

William E. Hamilton

Mayor, Town of St. Leo

Approved as to form by:

Patricia Petruff, Esquire, Town Attorney

EXHIBIT A

Town Staff Report with exhibits and Applicant's application and supporting documents



Town of St. Leo

SITE PLAN (SPR)/VARIANCE (VAR) REVIEW STAFF REPORT SPR/VAR #11-A: Saint Leo University Practice Field July 11, 2011 Town Commission Meeting

Property Owner:

Saint Leo University Inc.

Applicant:

Same

Representative:

Frank Mezzanini

Requests:

1. Site Plan Approval for New Practice Field

2. Variances to Landscape Buffer Requirement

Location/Legal Description:

Northeast Quadrant of the Saint Leo University East Campus

Property Appraiser Folio:

06-25-20-0000-03000-0010

Land Use Designation:

Institutional

Zoning:

Institutional

Site Plan Review Application Overview:

The project is located in the eastern part of the East Campus (Exhibit A). The site is located within the portion of the University dedicated to sports/recreation at the northeastern quadrant of the University campus. The Practice Field site (2+/- acres) is currently a wooded and open area (informal passive activities) located north of the tennis courts and east of the new Softball Stadium parking lot. The Lake Jovita golf course is to the north and east, and Lake Jovita residential development is to the east. The Practice Fields will provide for multiple uses such as soccer, lacrosse, softball and jogging path; and therefore, the existing open area requires expansion to the north and east and significant grading and fill. Construction is anticipated to begin in August with completion by May 2012.

At the April 11, 2011 public hearing, based on concerns raised by Lake Jovtia residents, the Town Commission continued the hearing to permit time for the University and residents to resolve issues. The University has submitted a revised the Practice Field site plan. The applicant's revised application and site plans are contained in Appendix A.

In the original submittal, the Practice field area was set back approximately 79 feet from the east property boundary and 80+/- feet from the north property boundary. The revised Practice field area (Exhibit B-SP-009) has been moved to the west, which provides a setback of approximately 145 feet from the east property boundary and 63+/- feet from the north property boundary. No night lighting has been proposed for this facility.

Although the fields will be grass, the site requires fill and regrading for the purpose of drainage and site leveling for playing purposes. The existing grade of the site slopes from an elevation of 167+/- feet at the northwest corner to 133+/- feet at the southeast corner resulting in a grade change of thirty-four (34+/-) feet. Along the north and east property boundaries fill will be needed to bring the low areas up to the new finished grade of the Practice Field. The site plan (Exhibit B-SP-009) provides a cross-section at the approximate midpoint of the east property boundary of the site depicting the existing grade compared to the new grade. At this midpoint the existing grade change from the top of bank to the east property boundary is 26.5+/- feet over a distance of approximately 220 feet. The new grade change from the top of bank to the east property boundary will be 26.5+/- feet over a distance of approximately 115 feet. As noted previously, the distance from the east property boundary to the edge of the Practice Field is 145+/-feet. [Note the cross section drawing on SP-009, incorrectly shows this distance as 125 feet]. In the original submittal, the beginning of the slope to the top of the Practice Field began approximately ten (10) feet from the east property boundary at this point. The slope at this point starts at approximately 85 feet from the east property boundary.

Pursuant to information provided by the Applicant, approximately 128,580 square feet of Practice Field area drains toward the golf course and adjacent residences. In the post-development, approximately 90,760 square feet of proposed Practice Field area will drain toward the golf course and adjacent residences. Therefore, there will not be any increased drainage to the adjacent properties. The University has received SWFMWD permits for the stormwater drainage for this area. The stormwater run-off for this area is captured by two ponds located south of the tennis courts.

The Practice Field project encompasses an existing grove of trees and will require review of a Tree Removal application. A Tree Removal application (TRP#11-A) has been submitted and the Town Commission will take action on the tree removal application prior to any decision on this site plan review and variance application.

Variance Request

The new Practice Field requires a twenty (20) foot wide Type "C" buffer along the north and east property boundaries, which requires four (4) canopy trees and five (5) understory trees/100 linear feet. A continuous hedge is also required for the buffers. The eastern property boundary of the Practice Field project is 415+/- feet. Approximately 180+/- linear feet of this distance is an existing approved landscape buffer. Therefore, the remaining 235+/- feet requires a total of ten (10) canopy trees and twelve (12) understory trees. The property boundary along the Lake Jovita golf course to the north is 675 +/- linear feet and requires twenty-seven (27) canopy trees and thirty-four (34) understory trees. The University will meet the landscape buffer requirement along the north property boundary for 610+/- feet (25 canopy and 31 understory trees). Located within a portion of the 610+/- foot segment is an existing wrought iron fence along the property boundary; therefore, landscaping would be approved to be placed behind the fence on the Saint Leo University side of the fence.

The Applicant is requesting the following landscape buffer variances:

1. Utilize the existing vegetation to provide the required twenty (20) foot wide landscape buffer at the northeast corner of the project for 65+/- feet along the north property boundary. The existing trees meet the tree planting requirement; however, a variance is required because the existing vegetation does not meet the required understory trees and shrubs.

2. Utilize the existing vegetation to provide the required twenty (20) foot wide landscape buffer at the northeast corner of the project for 235+/- feet along the northern portion of the east property boundary. The existing trees meet the tree planting requirement; however, a variance is required because the existing vegetation does not meet the required understory trees and shrubs.

It is noted that the existing approved buffer along the southern portion of the eastern property boundary (180+/- feet) will be relocated (vegetation to be dug-up and moved) along the eastern boundary. Therefore, no variance is required for this section of the buffer area.

The LDC provides for landscape buffer credit of existing protected canopy trees. The credit is one (1) tree credit for each tree between five (5)-inch DBH and less than ten (10)- inch DBH and two (2) tree credits for each tree ten (10)-inch DBH or greater. The tree canopy planting requirement for the 65 foot segment along the north boundary would be three (3) canopy trees and for the 235 foot segment along the east boundary ten (10) canopy trees. Based on review of the tree survey, the existing trees to be preserved along the 65 foot and 235 foot segments meet the tree planting requirement (total tree credit of 14 trees). Based on the above variance request, the following additional buffer plantings would be required along these segments:

65 Foot Segment along north boundary:

- Four (4) understory trees.
- Thirteen (13) shrubs.

235 Foot Segment along east boundary:

- Thirteen (13) understory trees.
- Fifty (50) shrubs.

Applicant's Variance Justification

In general, the applicant's variance justification is as follows:

"Because of the unique characteristics between the university and the Lake Jovita development along the property line we request a variance to delete the landscape buffer for the distances shown on the plan and leave the area in its natural state. This is at the request of the Lake Jovita representatives."

The Lake Jovita representative confirmed they do support keeping the existing vegetation; however, they desire to have additional trees planted to provide a denser visual buffer.

Appendix A provides a more detailed justification statement included with the application.

Town Commission Variance Review Criteria

Pursuant to the LDC (Section 9.2- Variance Hardship Criteria), no variance shall be granted unless the following conditions exist:

1. State the special conditions and/or circumstances applying to the building or other structure or land for which such variance is sought.

- 2. Are the special conditions and/or circumstances peculiar to the property, structures, or buildings, and do not apply generally to neighboring lands, structures, or buildings in the same zoning district.
- 3. Are the existing conditions and/or circumstances such that:
 - a. The strict application of the provisions of this Chapter would deprive the applicant of reasonable use of said land, building, or structure; and
 - b. The peculiar conditions and circumstances pertaining to the variance request are not the result of the actions by the applicant.
- 4. The variance request is in harmony with and serves the general intent and purpose of this Chapter and the Comprehensive Plan.
- 5. That the variance, if allowed, will not substantially interfere with or injure the rights of others whose property would be affected by allowance of the variance.
- 6. That allowing the variance will result in substantial justice being done, considering both the public benefits intended to be secured by this Chapter and the individual hardships that will be suffered by a failure of the Town Commission to grant a variance.

Another factor that should considered by the Town Commission in the review of any variance request is whether the granting of the variance would set a precedent that could allow others to request the same type and degree of variance from LDC requirements.

Site Plan/Variance Review Analysis

The revised site plan submitted for the Practice Field is consistent with the Saint Leo University Campus Master Plan (PUD#10-A, Minor Modifications #1 and #2). Maintaining the mature existing tree canopy along the 65 foot segment of the north boundary and the 235 foot segment along the east property boundary creates a more desirable buffer than having these trees removed and planted with new much smaller trees per the LDC requirements.

The reduced landscaping requirement for understory trees and shrubs along the north 65 foot segment and the 235 foot segment along the east boundary is reasonable as these areas are primarily located adjacent to the golf course. It is noted that the existing trees west of the 235 foot segment will remain (Exhibit B-SP-009) providing an additional buffer area. This area consists of a number of large Sweetgum, Camphor and Cherry Laurel trees. Given the maturity and density of trees in this area, survival of understory trees and shrubs could be problematic. Therefore, requiring understory trees and shrubs may not be appropriate. Exhibits C-1 and C-2 contain photographs that illustrate the existing approved buffer (180' segment) and the existing vegetation along the southern portion of the 235 foot segment.

Based on review of the existing vegetation, the location of the berm and elevation difference between the adjacent residences and the activities to be conducted on the Practice Field, additional infill landscaping may be appropriate along portions of the east property boundary. This additional landscape infill could be accomplished with the required replacement trees pursuant to the tree removal approval.

Town Commission Alternatives

The Town Commission has at least one decision-making alternative:

Alternative #1: APPROVE the site plan and requested buffer variance with the following conditions:

- 1. This approval is subject to approval of a Tree Removal Permit and any related conditions of approval.
- 2. This approval is subject to approval of Saint Leo University Campus Master Plan PUD #10-A (Minor Modifications #1 and #2) and any conditions of approval.
- 3. The Applicant shall submit a final detailed landscape plan along the north and east property boundaries, including existing trees to be utilized for tree credits. The landscape plan shall be submitted by the University to the Town for review/approval by October 31, 2011. The Town's Planning Consultant shall meet with the adjacent Lake Jovita residences to review the landscape buffer plan. Based on resident and University comments, the Town's Planning Consultant shall make a recommendation to the Town Commission, at an advertised public hearing, for approval of a final landscape buffer plan.
- 4. Prior to the start of regarding and/or filling, silt fences or other appropriate fencing/barrier shall be installed along the north and east boundaries and shall remain in place during construction (site grading) and until grass sodding, seeding and/or landscaping is put in place along the slopes to control stormwater run-off and erosion.
- 5. No final inspection approval will be issued by the Town until all the above conditions are met.
- 6. Upon completion of the project the Applicant shall meet with adjacent residents and Lake Jovita golf course management on a quarterly basis for one (1) year from the date of completion of the project to identify any impacts on the adjacent properties related to stormwater run-off. The Applicant shall provide to the Town a letter within one (1) month after each quarterly meeting describing any issues raised by Lake Jovita representatives. If stormwater impacts do occur, the Applicant shall provide to the Town Commission its implementation plan to cure the problem.
- 7. Upon completion of the project, the Town Commission or its designee shall be permitted by the Applicant to inspect all planted replacement trees pursuant to the Tree Removal Permit approval and landscape buffer (including trees utilized for the tree credit) for compliance. The Applicant shall be required to replace any trees or shrubs deemed to be in either poor condition or have died within 45 days of said inspection.
- 8. One (1) year after the completion of the project, the Town Commission or its designee shall be permitted by the Applicant to inspect all planted replacement trees and landscape buffer plantings (including trees utilized for the tree credit) for compliance. The Applicant shall be required to replace any trees or shrubs deemed to be in either poor condition or have died within 45 days of said inspection.

9. The Applicant shall submit to the Town a copy of any new or modified SWFWMD permits related to this project prior to start of any grading/filling.

This report has been prepared by:

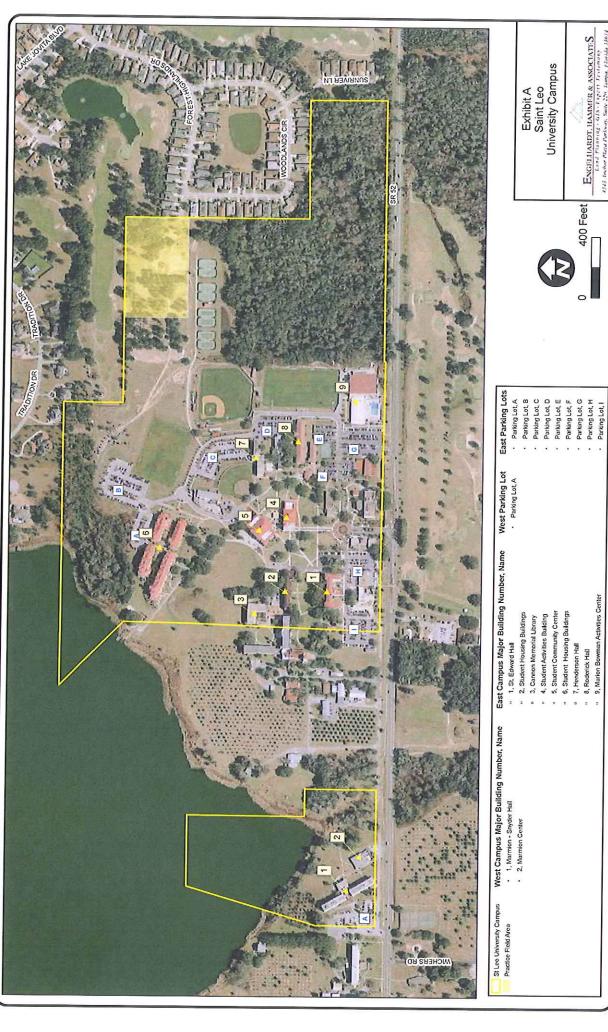
San A. Norsoph

Jan A. Norsoph, AICP

Engelhardt, Hammer & Associates, Inc.: Town of St. Leo Planning Consultant

Engelhardt, Hammer & Associates reserves the right to update this report upon becoming aware of new or updated information.

EXHIBIT A AERIAL MAP



ENGELIARDY, HANNER & ASSOCIATES
LEAST TEATURE (L. GALTER)
13.13 Industrial California, Sun, 279, (1999), Associated 1963,
League (1991), 1998-1994, Fac (1313), NASSOCIA

Source: SWFWMD 2009 Aerial

9, Marion Bowman Activities Center

8, Roderick Hall

EXHIBIT B

Drawing SP-009

PRACTICE FIELD VARIANCE SITE PLAN AND CROSS SECTION

EXHIBITS C-1 and C-2EAST BOUNDARY EXISTING VEGTATION PHOTOGRAPHS



Exhibit C-1 East Buffer: Existing Vegetation (180' Segment)



Exhibit C-2
East Buffer: Existing Vegetation
(Southern Portion of 235' Segment)

APPENDIX A

SITE PLAN APPLICATION, SITE PLAN (SP-009) AND PRE AND POST DEVELOPMENT DRAINAGE DRAWINGS AND VARIANCE APPLICATION SUBMITTAL DOCUMENTS



APPLICATION FOR GENERAL SITE PLAN REVIEW BY THE ST. LEO TOWN COMMISSION

Practice Field

NOTE: All applications are to be filled out completely and correctly, and submitted in person (no fax or deliverles) to the Town Clerk. General Site Plan review is typically a staff review. However, if a variance to the LDC is required, then a variance public hearing will be scheduled. It is necessary for the applicant or the applicant's representative to be present at the public hearing meeting. No revisions to the General Site Plan application will be processed later than 14 days prior to the scheduled Town Commission meeting. The Public Hearing will be conducted pursuant to Quasi-Judicial Proceedings.

Note: it is incumbent upon the applicant to submit correct information. Any misleading, deceptive, incomplete or incorrect information may invalidate you approval.
Applicant (Title Holder(s)) Saint Leo University
Address 33701 State Road 52, Saint Leo, Florida Zip 33574 Phone/Fnx 352.588.8215/352.588.821
Representative (Owner Authorization Affidavit is required) Frank Mezzanini
Address 33701 State Road 52, Saint Leo, Florida Zip 33574 Phone/Fax 352.588.8215/352.588.821
Architect/Engineer_Lunz Prebor Fowler Architects
Address 58 Lake Morton Drive, Lakeland, Florida Zip 33801-5344 Phone 863, 682, 1882
When Property Title Obtained 1889
Legal Description Refer to Site Plan
PIN Number(s) [County] 01-25-20-0000-03000-0010
General Location (Address) 33701 State Road 52, Saint Leo, Florida 33574
The applicant, by filing this application agrees he/she will comply with all requirements of the Town of St. Leo Land Development Code (LDC). One copy of the application, narrative and proposed general site plans/building elevations is to be submitted for a determination of application sufficiency with General Site Plan review submittal requirements pursuant to the LDC (see attached). Upon a determination of completeness, two sets the application and proposed general site plans/building elevations are to be submitted. Please note: If trees are proposed to be removed, then a tree survey for all trees over 3" d.b.h. on site may be required if deemed applicable by staff.
FEE: The applicant will be billed for the actual expenses related to the Town of St. Leo's Planning Consultant and other Town of Leo staff review of the application. This may include, but not be limited to, time spent reviewing the application for completeness, site inspection, preparing a report to the Town Commission, telephone conversations and/or written correspondence to the applicant, attending any meetings with the applicant and attending public hearings. The Town Commission may request an advanced partial payment based on an estimate of the Planning Consultant's fees and expenses. Signature Title Holder(s)/Owner(s)
REQUEST: (Explain proposal in detail): use additional sheets if necessary
See attached.

Saint Leo University Practice Field Application for General Site Plan Review By the St. Leo Town Commission Revised 6.22.11

Request:

The University is growing its student sports program and growing its collegiate competitive sports program with men's and women's lacrosse. Due to this growth their existing sports fields are inadequate with insufficient space. The practice field will provide relief for the overcrowded facilities.

This project involves cut as well as adding fill to level the area to create the playing surface. It is related to the intramural field and underground parking garage as it will be the recipient site of the excess fill from those projects.

A 20' Landscape Buffer in accordance with the Town's Land Development Code will be planted along the property line of the project. The plantings will be the same as the New Softball Field project.

SWFWMD permit is already in hand. A Tree Removal Application will be submitted. Please see the accompanying Civil Plan for more details.

With this revision, the practice field has been shifted west such that it will be 145' from the east property line, whereas it was approximately 78' with the prior submittal.

Likewise, with the revision the beginning of the berm to slope the grade up to the practice field elevation begins over 65' from the east property line. With the prior submittal it began 10' from the property line near the north end.

Along the north property line, the field has shifted from 80' to 63' from the north property line.



APPLICATION FOR VARIANCE BY THE ST. LEO TOWN COMMISSION

NOTE: All applications are to be filled out completely and correctly, and submitted to the Town Clerk by the scheduled deadline date. It is incumbent upon the applicant to submit correct information. Any misleading, deceptive, incomplete or incorrect information may invalidate your approval. It is necessary for the applicant or the applicant's representative to be present at the public hearing. The Public Hearing will be conducted pursuant to Quasi-Judicial Proceedings.

Staff Use Only	0.46	1000 WE 5000 5		
APPLICATION NO	Date Rec'd	Date Sufficie	Date Sufficiency Determined	
Public Hearing Date				
APPLICANT (Title Holder(s))_Sa	int Leo University			
Address 33701 State Road 52, Sair	nt Leo, Florida	Zip <u>33574</u>	Phone 352.588.8215	
Representative Frank Mezzanini			_	
Address 33701 State Road 52, Sain	t Leo, Florida	Zip 33574	Phone 352.588.8215	
Architect/Engineer_Lunz Prebor Fo	wler Architects			
Address 58 Lake Morton Drive, Lakeland, Florida		Zip <u>33801-5344</u> Phone <u>863.682.1882</u>		
When Property Title Obtained 18	389			
Legal Description Refer to Site Plant	an			
PIN Number(s) [County] 01-25-20	-0000-03000-0010			
General Location (Address) 33701	State Road 52, Saint	Leo, Florida 3357	4	
Fee for Each Related Variance:			\$ 25.00 (See Note A)	
Signature Man		Date	6/21/2011	
	er(s)/Owner(s)		1	
V				

List all requested Variances here:

1) At the northeast property corner of the proposed Practice Field we request a variance to leave the buffer 2) area undisturbed for distances shown on the plan in lieu of the buffer landscape requirements as called for 3) in the approved PUD.

The applicant must also submit with the application, a Variance Justification Statement addressing the attached criteria. The applicant is required to submit a site plan and/or drawings or photographs to illustrate the requested variance.

NOTE A

In addition to the application fee, the applicant will be billed for the actual expenses related to the Town of St. Leo's Planning Consultant review of the application. This may include, but not be limited to, time spent reviewing the application for completeness, preparing a report to the Town Commission, telephone conversations and/or written correspondence to the applicant and attending any meetings with the applicant, including the public hearing meeting. The Town Commission may request an advanced partial payment based on an estimate of the Planning Consultant's fees and expenses.

Saint Leo University Practice Field Variance Justification Statement

1. State the special conditions and/or circumstances applying to the building or other structure or land for which such variance is sought.

The current approved PUD calls for a 20 foot wide Type C Buffer without Fence along the Practice Field property line between the university and the Lake Jovita development.

Because of the unique characteristics between the university and the Lake Jovita development along the property line we request a variance to delete the landscape buffer for the distances shown on the plan and leave the area in its natural state. This is at the request of the Lake Jovita representatives.

2. Are the special conditions and/or circumstances peculiar to the property, structures, or buildings, and do not apply generally to neighboring lands, structures, or buildings in the same zoning district.

The special circumstances are unique to the specific location between the two properties.

- 3. Are the existing conditions and/or circumstances such that:
 - a) The strict application of the provisions of this Chapter would deprive the applicant of reasonable use of said land, building, or structure.

No.

b) The peculiar conditions and circumstances pertaining to the variance request are not the result of the actions by the applicant.

Correct.

4. The variance request is in harmony with and serves the general intent and purpose of this Chapter and the Comprehensive Plan.

Correct.

5. That the variance, if allowed, will not substantially interfere with or injure the rights of others whose property would be affected by allowance of the variance.

This variance does not interfere in any way with the adjacent property usage or rights.

 That allowing the variance will result in substantial justice being done, considering both the public benefits intended to be secured by this Chapter and the individual hardships that will be suffered by a failure of the Town Commission to grant a variance.

The variance results in substantial justice in that it would maintain the existing buffer in its natural state which is preferred by all property owners.

